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4 KING COUNTY
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7 2007-2008 Charter Review Commission
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9 Proposed Amendments
10

11 PUBLIC OUTREACH MEETING
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14
15 April 15, 2008
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17
18 4050 Maple Valley Highway
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20 Renton, Washington
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24 Patricia A. Blevins, CCR
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1 RENTON, WASHINGTON; TUESDAY, APRIL 15, 2008
2 6:30 P.M.
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5 MR. JENSEN: Okay. We'll go ahead and get
6 started.

7 First of all, thank you for coming out on kind of
8 a drizzly, nasty night. This is our fourth public hearing
9 on the back end of a little over a year's worth of work that
10 this commission has done. Tonight we have four
11 commissioners here, and I do expect a couple more to come
12 before we get done.

13 On my left is Gary Long, and on my far right is
14 Governor Mike Lowry and Mr. Allan Munro. Also tonight with
15 us are our staff, which is the charter [inaudible], Mark
16 Yango, and staff that has supported us over the last year,
17 Corrie Watterson, Charlotte Ohashi -- I'm not sure where
18 Charlotte went -- and Becky Spickem [ph].

19 And to start off, what we are going to do is have
20 Becky give you an overview of the process that we've been
21 through over the last year.

22 MS. SPICKEM: Good evening. While 1968 King
23 County became the first charter county in Washington and the
24 King Charter is essentially the county's constitution. It
25 provides the foundation for King County's governance
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1 structure. Every ten years King County convenes a Charter
2 Review Commission. In January of last year, Executive Ron
3 Sims admitted 21 members to the County's fifth Charter
4 Review Commission. The review process began as a search to
5 find out what the citizens of King County were concerned
6 about. Throughout last spring and summer public hearings,
7 one in each district, the commissioners heard from hundreds
8 of people, groups, nonprofit organizations and many
9 government officials.

10 The Charter Review Commission took all that

11 information and last fall began its deliberation process,
12 which lasted up until the middle of last month. It came
13 away from that process with a total of 14 recommendations
14 that are detailed in the draft report. Now the commission
15 is in the midst of gathering public comment on the draft
16 report so that it can make changes to its recommendations.

17 When that is completed at the end of May, the
18 Charter Review Commission will submit its recommendations
19 and its final report to the King County Council. The
20 council will decide which recommendations to put before the
21 voters either in this November's general election or in some
22 subsequent election.

23 Tonight's meeting is the fourth and last meeting
24 during which the commissioners will invite public comment in
25 a formal setting, but it welcomes your input through email,

0004 1 phone, letter, and through the charter review web site.
2 Thank you.

3 MR. JENSEN: Thank you very much, Becky.
4 And just to reiterate, where we're at right now,
5 we still have room for public comment, and we have room
6 to -- time to adjust the recommendations that we're going to
7 be giving to the executive and the King County Council. So
8 this is an important time in the process, because we're
9 finally bringing our work back to you, to see how we've
10 done. So we're looking forward for -- looking forward to
11 getting additional input.

12 We have come up with eight substantive amendments
13 that we will recommend as charter amendments, six technical
14 amendments, and one regarding the King County Library System
15 that is not necessarily an amendment to the charter but
16 something that we chose as a commission to comment on.

17 And what I'm going to do now is turn to my fellow
18 commissioners, and we're each going to describe individually
19 the amendments that we're putting forward and recommending.
20 And the first amendment will be addressed by Gary Long, and
21 it's regarding the budget timeline.

22 MR. LONG: The budget timeline was an
23 amendment that was requested by the county council. The
24 county council right now has about six weeks or 45 days to
25 review the county executive's budget when it's submitted in

0005 1 mid-October, and they usually act on it by about the first
2 of December.

3 Given the complexity and size of King County's
4 budget, there was a request to extend that period. And so
5 we listened to both the executive and the county council
6 views of what was an appropriate time frame for them to have
7 time to prepare a budget which is reasonably accurate --
8 that's the executive's responsibility -- and enough time to
9 review it to make sure that the county council was satisfied
10 with it.

11 We finally came down to -- I think it was a 70-60.
12 And so listening to both sides of it, we did the appropriate
13 thing a third party does and picked the middle ground, which
14 was a 65-day period. So this gives the county council an
15 additional 20 days to review the budget.

16 MR. JENSEN: The second amendment is related
17 to the citizen initiative process, and I'll turn to Governor
18 Lowry to address that.

19 MR. LOWRY: Thank you. Thank you. Actually,
20 when the Freeholders [ph] wrote the charter, they had
21 assumed that you could not amend the charter by initiative,

22 because as I know some people in this room know, for
23 instance, you can't amend the state constitution by
24 initiative. So that had been --

25 (Interruption in the

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1 proceedings.)

2 Well, there was an initiative filed to lower the
3 number of county council members from 13 to 9, and the
4 Supreme Court held that you could, which would be an
5 amendment to the charter. And so the Supreme Court held
6 that yes, that was legal. So thereby we learned that the
7 charter, the constitution of the County, can be amended by
8 initiative.

9 Well, the amendment number of signatures to get an
10 initiative on the ballot, per statute, is 10 percent
11 signatures from the previous county executive election.
12 Well, to change the county charter of the Constitution, we
13 just felt that was way to low. That's too few numbers to
14 make that large a change.

15 So the Charter Review Commission is recommending
16 that the signatures required on an initiative to amend the
17 charter would be 20 percent of the vote in the last county
18 executive election. In other words, we'd have to have
19 signatures from enough people that would be 20 percent of
20 the number of people who voted in the last county executive
21 election, a little higher bar for amending the Constitution
22 than just the statutes.

23 MR. JENSEN: Thank you, Governor Lowry.

24 Now, on the commission appointment process,
25 there's going to be an adjustment to that, or hopefully so,

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1 and Mr. Yankle [ph] will address that.

2 MR. YANKLE: Hello everyone. This amendment
3 came about because several of the council members were
4 concerned about the integrity of the charter review
5 commission's appointment, slash, confirmation process,
6 particularly because the current commission didn't go
7 through a formal confirmation process. So the commission
8 came up with this amendment to, in order to avoid any
9 confusion in future charter language, in Sections 340.40 and
10 800, it coined language to clarify that the executive
11 appoints, the charter be commissioned, and the council
12 confirms the numbers of the commission.

13 MR. JENSEN: And still regarding the Charter
14 Review Commission, recommending council action on commission
15 recommendations will be Tara Jo.

16 MS. HEINECKE: Tara Jo Heinecke, representing
17 District Five. We've had quite a bit of testimony from a
18 real diversity of interest groups, including former charter
19 review commissioners in former decades, about whether or not
20 the recommendations of the commission should automatically
21 go on the ballot whereas they are sent to the ballot based
22 upon a vote of the county council.

23 And after much deliberation, what we came up with
24 was a proposed amendment that would require the county
25 council to act, to vote on each charter recommendation,

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1 which could mean that they would vote not to proceed further
2 but in any case that each Charter Review Commission
3 recommendation would have to be publicly debated and voted
4 upon one way or another.

5 So that is our recommendation at this time.

6 MR. JENSEN: The next amendment is regarding

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7 election timelines, and I'll go back to Governor Lowry to
8 address that.

9 MR. LOWRY: Is this on the initiatives?

10 MR. JENSEN: Yes. No, no. I'm sorry. On
11 the election, time frame for the election.

12 MR. LOWRY: Time frame for the election?

13 FEMALE SPEAKER: On initiatives.

14 MR. LOWRY: On initiatives from which an
15 initiative is filed, the present county ordinance is
16 45 days, must be filed within 45 days before the election.
17 What the elections department has shown is that's
18 impossible. That 45 days is too short. The state
19 legislature frankly addressed the same issue, with the
20 period being too short for state initiatives being
21 addressed, and the state legislature changed the period of
22 time to 84 days.

23 So what the charter amendment that we are
24 recommending is is that we do the same as the State does,
25 which is for initiatives, they must be filed by 84 days

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1 before the election, to give time to process the initiative.

2 MR. JENSEN: Thanks, Governor. It's nice
3 when the audience is so informed they're helping us stay on
4 track.

5 MR. LOWRY: Well, if I was following the
6 program instead of figuring out how to get a cup of coffee.

7 MR. JENSEN: Oh, and let me point out that
8 we're going to have some introductions in just a minute. So
9 also, while we're going over these amendments, if you can
10 listen and pour coffee at the same time, there is coffee
11 over there. So please take advantage of -- this is the
12 nicest facility I think that we've had our public hearings
13 at. So please take advantage of that while we're going over
14 these.

(Interruption in the
proceedings.)

15 MR. JENSEN: This is a very good audience.
16 I'm going to address the open space charter
17 amendment, and the open space charter amendment raises the
18 level of protection on some properties already owned by King
19 County. These are the best habitat and biological
20 conservation properties along our rivers and streams that
21 serve as salmon recovery areas, they help with flood
22 control, they serve as drinking water sources, and they're
23 our best natural recreational areas.

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1 A significant amount of the 106,000 acres in the
2 open space charter amendment are where the County owns
3 development rights to rural forestry land. This amendment
4 will require the King County Council to bring any proposal
5 to sell or change the use of these properties before the
6 citizens for a vote.

7 This is the same protection that the farmland
8 preservation properties currently have, and it would add our
9 forestry land base and our best natural areas into this
10 category. It would require no new land to be purchased.
11 These are not ball fields or playgrounds. These are all
12 passive-use recreational areas, particularly for hiking. In
13 this area here you would recognize Cougar Mountain right off
14 the bat as being one the properties to be added.

15 There's a brief description of the amendment on
16 Page 15, if you grabbed one of the draft reports, and the
17 actual amendment is on Page 35 of the book.

18 And the next amendment is regarding qualifications
19 for elected officers, and Mark Yango is going to address
20 that.

21 MR. YANGO: This amendment was discussed in
22 light of Initiative 25, which is the initiative to elect the
23 elections director, and several of the commissioners were
24 concerned that for those positions of the assessor and
25 elections director, qualifications would be needed,

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1 particularly if the elections director became elected. They
2 wanted to make sure that the right qualifications -- the
3 position had the right qualifications for that [inaudible].
4 And the amendment is intended to provide a more rigorous
5 process for screening candidates for these positions,
6 ensuring qualified candidates.

7 MR. JENSEN: Thank you, Mark.
8 The next amendment is regarding the regional
9 committees, which I know a lot of work went on, and I think
10 Gary can describe the process and what we're trying to
11 accomplish.

12 MR. LONG: The regional committees were a
13 product of the merger of Metro with King County in 1992, and
14 three committees were created with six county council
15 members and six representatives from the cities and with
16 water quality from sewer districts. They were included
17 along with the cities.

18 When the county council was reduced from 13 to 9,
19 and as their work load has increased, the regional committee
20 structure was an issue that the county council asked that we
21 consider this year. And with the process involving the
22 cities and representatives of the county council, we came up
23 with what is more or less a consensus on a series of
24 amendments to the county charter on regional committees.

25 They would retain their 50/50 balance in terms of

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1 the voting of the county and the city members, but it would
2 reduce the number of county council members from six to
3 three. The chair would be someone designated by the county
4 council, and the vice chair would be someone selected or
5 elected from the non county members of the committee.

6 There's also a provision that allows nonvoting
7 representation for areas served by King County, and that
8 primarily right now are a number of sewer districts and
9 Southern Snohomish County. They would have an ad hoc right
10 to be at the table but not to vote.

11 There was some discussion about giving the
12 committees a bit more autonomy and developing their work
13 plan, and that language is included in the charter's
14 amendment that would be acted on or that would become part
15 of the amendment if approved by the voters.

16 And finally, there was another thing, another
17 issue that was raised and resolved with giving the
18 committees the authority to initiate motions and ordinances
19 that would come directly to the council for the council to
20 act on in some fashion.

21 So those are the major amendments that came around
22 as a -- came about as a result of that process.

23 MR. JENSEN: Thank you, Gary.

24 The next amendment is regarding the sheriff's
25 office, and I'll go to Allan Munro for that.

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1 MR. MUNRO: Section 890 of the charter as it
2 currently reads designates the King County Executive as the

3 bargaining agent for all of the unions that collectively
4 bargain with the County on behalf of the County's employees.

5 The problem here is that we have a couple of
6 independently-elected officials, the sheriff and the
7 assessor, who do not have any charter authority to have a
8 voice in the negotiations of the working conditions for
9 their respective employees. And by "working conditions,"
10 I'm talking broadly about shift scheduling, which is
11 important in the sheriff's office, work rules, employee
12 discipline and termination.

13 And a problem has occurred, and you're probably
14 aware of this from -- if you read -- particularly if you
15 read the "Seattle PI," that some employees, from time to
16 time, create what you might call zero-tolerance infractions.
17 An example would be a sheriff's deputy who forms some kind
18 of personal relationship with an arrested person.

19 And what we've found is that the sheriff,
20 particularly, is having trouble terminating these people.
21 By "zero tolerance," I mean you don't want that to happen
22 again. You want to have that person removed from the King
23 County Police Force.

24 What occurs now is that eventually the
25 disciplinary act is -- winds its way into a grievance, which

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1 ends up in an arbitration. The arbitrator typically divides
2 the baby, meaning if the sheriff tries to terminate the
3 individual, he or she, but mostly he, will perhaps get a
4 suspension without pay for some period of time but will
5 remain on the force.

6 As a consequence, and I'm sure you've read this,
7 we've had situations where the sheriff, in order to get rid
8 of somebody that she doesn't feel should remain on the
9 force, has had to pension them off. That's an additional
10 and should be an unnecessary expense to the taxpayers. But
11 if you leave that person on the force and they reoffend, you
12 may have a situation where the County gets a big judgment
13 against them. It's really a serious situation.

14 The solution of the majority of the commission is
15 to write into Section 890 that the independently-elected
16 officials will have what is called an effective
17 participation in the bargaining process. Hopefully, that
18 will give them an opportunity to say, Hey, no, don't trade
19 work rules for a lower salary and fringe benefits and
20 balance your budget at the expense of my department working
21 effectively.

22 A minority of the members of the commission feel
23 that that doesn't go far enough. I think everybody feels
24 that this is an improvement over the way the charter now
25 reads, but some members of the commission will be submitting

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1 a minority report, and that will basically say that the
2 independently-elected officials need to consent, which means
3 they have something in the nature of a veto over a
4 collective bargaining agreement, at least as to its work
5 rule provisions.

6 MR. JENSEN: That's great, Allan. Thank you
7 very much. I'm going to go right back to you for the
8 unincorporated and rural area representation.

9 MR. MUNRO: Okay. When we held hearings
10 around the county in each of the council districts last
11 year, we, and I'm included -- and I remember this -- heard a
12 lot of pain. The feeling was expressed many times,
13 particularly from people in rural areas that are close to or

14 just outside the urban growth boundary that King County has
15 set pursuant to the Growth Management Act in the state of
16 Washington, that they felt they had no voice in King County
17 government, they lacked influence in the way that services
18 were provided to them; and yet, of course, in those areas
19 where there is no incorporated city, King County provides
20 those kind of services to those people, those residents,
21 that a city would provide.

22 Now, the situation has clearly changed since the
23 charter was adopted in 1968. The urban areas have continued
24 to grow, even though the municipal boundaries haven't grown
25 quite as fast, and we have two categories of unincorporated

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1 areas that are looking to King County to provide local
2 services. The first are those rural areas that are going to
3 remain rural by virtue of the Growth Management Act and its
4 implementation and the unincorporated urban areas that kind
5 of sit between incorporated cities in the western part of
6 the county. It reminds me kind of like a patchwork quilt in
7 which not all the patches have been sewn in.

8 The County's solution for this is to push those
9 unincorporated areas into being annexed by cities close by.
10 A good example of one of those areas is the White Center
11 area, which lies between Seattle, Burien and Sea Tac.

12 I think a majority of the commission would like to
13 see those annexations take place, but we could not find a
14 way to change the charter to encourage that activity more
15 than has already been done. So I think the feeling was that
16 we should try to put somebody into the bureaucracy who could
17 actively both advocate for and help shape those kinds of
18 services that the County provides to the unincorporated
19 areas, and that would occur by adding the following language
20 to Section 320.20 of the charter, and I'm going to quote it.

21 [Reading.] The chief executive officer of the
22 County shall designate within the office of the executive a
23 senior official with primary responsibility for the
24 communication with and oversight of service provision to
25 rural, unincorporated King County and to urban

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1 unincorporated King County, including the services to
2 facility -- I'm sorry -- to facilitate transition of urban
3 unincorporated areas to cities.

4 That language can be found on Page 34 of our draft
5 report, which I hope you have. There's also kind of a
6 description of the background of what we did, that is
7 described on Page 21 and 22, and on Page 25 is a kind of a
8 graph that shows you where we would like to see this
9 high-level position located in the King County executive's
10 department.

11 MR. JENSEN: Thanks, Allan. I'll just expand
12 on that a little bit. There's two parts to that. There's
13 the preamble, and there's the senior official aspect.

14 The preamble is essentially the mission statement
15 of the County. So by acknowledging in there that the County
16 has a dual role in providing local and/or regional services,
17 we're hoping that the council and the executive will accept
18 that as a mission statement and, in implementing the other
19 recommendations, will keep that in mind.

20 But this is not an easy problem to solve. So
21 we're still looking for input. Tom Carpenter is here. He
22 gave us a lot of help on that and sat in on a lot of our
23 meetings. But that -- it's just that -- it's a real tough
24 nut to crack. This is going to completely depend --

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1 member sitting next to me, but it's going to be very
2 dependent on the council and the executive understanding and
3 committing themselves to helping solve this problem.

4 We have several amendments that are -- these are
5 not -- these are still amendments. This is the
6 anti discrimination amendment, and Tara Jo, if you're able to
7 talk to that.

8 MS. HEINECKE: Sure. This is a pretty simple
9 premise. Since the last Charter Review Commission was
10 convened, state law has changed to include among protected
11 classes in the anti discrimination law a sexual orientation
12 reference.

13 The federal law at this time still does not
14 include sexual orientation among the protected
15 classifications. So we want to be consistent with state law
16 and many local ordinances and city ordinances in adding
17 sexual orientation to our county charter. And this is a
18 unanimous position, I might add, on the part of the
19 commission. This was largely, I think, viewed as a
20 housekeeping measure for all of us.

21 We did have to make some allowance, however, in
22 the case of contracts with the federal government and making
23 an exception to the sexual orientation as a protected class
24 as it relates to contracts with the federal government. All
25 other parties wishing to do business with the County,

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1 though, we have suggested as our recommendation should be
2 held to the standard of pledging not to discriminate on the
3 basis of sexual orientation just as they would not
4 discriminate on the basis of sex or age or religion or
5 handicap, et cetera.

6 THE COURT: Thank you very much.

7 And the next amendment is regarding budget
8 allotments, and I'll go to Gary Long for that.

9 MR. LONG: The budget allotments is kind of
10 cleaning up real old stuff in the charter. Before there was
11 computerized bookkeeping and automated reports and so forth,
12 the county council and the county executive used the budget
13 allotment process to keep control and oversight of
14 expenditures throughout the year.

15 So our recommendation, and it was a consensus of
16 both the executive and the legislative sides of King County,
17 that that was no longer needed. So we are proposing that
18 that process be eliminated from the charter.

19 MR. JENSEN: Thanks, Gary. And then we have
20 transport provisions, which -- am I going to do that part?
21 Actually, I'll let one of the --

22 MS. SPICKEM: I can actually speak to that.

23 MR. JENSEN: Can you speak to that?

24 MS. SPICKEM: The transitory provisions in
25 the charter are vestiges of the time when King County

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1 transitioned from a non charter form of government and also
2 when King County -- when Metro was merged into King County.
3 So neither of the amendments that covered these issues,
4 Article 9 and then also Section 350.20.30, are relevant any
5 longer.

6 So the commission -- given that these provisions
7 are no longer relevant, the commission is recommending that
8 the charter strike Article 9, with the exception of a brief
9 little bit that needs to be retained, as well as all of

10 350.20.30 in its entirety.

11 MR. JENSEN: Thanks, Becky.

12 And the last -- this is not an amendment, but it
13 is something the commission chose to take an action on,
14 which we're just sending letters to the council, to the
15 executive, and to the library system. Regarding the King
16 County Library System, we had a tremendous amount of
17 testimony from citizens. We had the library director and
18 some of their board members come in and speak to us.

19 The basic issue is that they're a big
20 organization. They currently have five board members. And
21 in some respects, just like the county council having been
22 reduced to nine, there's a tremendous amount of work for
23 those five board members to do, and that resulted in them
24 having smaller subcommittees, sometimes with only two on a
25 subcommittee, which meant that with a five-member team, a

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1 two-member subcommittee isn't an open public -- doesn't need
2 to have -- be an open public meeting. So they were
3 completing some work in those smaller subcommittees, and it
4 wasn't open to the public.

5 Our recommendations simply include possibly
6 increasing the board size up to seven or nine so that they
7 just have more people to cover the amount of work that they
8 do. And again, because they are a state taxing district,
9 they are outside of our purview and outside the purview of
10 the Charter Review Commission.

11 At this point we've had a couple people come in.
12 Tara Jo Heinecke is one of our commissioners who came in,
13 and I think I missed introducing her, and also Council
14 Member Dunn has come in, and I'd like to give him a few
15 minutes to address you and introduce a couple of the
16 electeds that are in the crowd.

17 MR. DUNN: Thanks very much, John, and
18 welcome, all of you, to District Nine, King County Council
19 District.

20 If you look on the inside of your brochure, here,
21 you'll see the council districts and how they break out.
22 And there are nine of them, and I'm privileged to represent
23 District Nine. It's a district that starts at Interstate
24 90, up by Factoria and moves south and includes Bellevue,
25 Newcastle, Renton, Kent, Covington, Black Diamond, Maple

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1 Valley, Enumclaw, much of Enumclaw Plateau, all the way to
2 where Greenwater, Washington, is and where this county
3 borders Yakima County in the southeast corner. It's big
4 district. It's the size of the state of Rhode Island in
5 square area.

6 I have a pickup truck, and in a year I've put
7 26,000 miles in one year driving up and down this road,
8 right here, and it's been a lot of fun. And so it's an
9 honor to represent all of you.

10 And we have a great Charter Review Commission,
11 here, just an outstanding group of folks who put in, I know,
12 a lot of time. And Governor Lowry, your leadership on this
13 is so much appreciated, and Tara Jo and Gary and Allan and
14 John, your work is as much appreciated. John Jensen was my
15 appointee to the Charter Review Commission. I hear he's
16 doing great up here.

17 MR. JENSEN: It was a good appointment.

18 MR. DUNN: That's right. It was a good
19 appointment. So your input in this process is really
20 important, and then the input of King County Council will be

21 important, as well, as we review this stuff.

22 But this commission serves such an important role.
23 I mean, it's -- we are required every ten years to convene
24 this, and it's like the Constitutional Convention. It's not
25 a small amount of work. King County has 14,000 employees,

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1 and the laws of both local services that we provide in
2 unincorporated King County land use and restaurant
3 inspections to sewer services to law enforcement to courts
4 to -- you know, you name it, we're involved in it.
5 And so what we do and how we do it affects the
6 lives of people a lot. How many of you got your tax
7 statements, for example, recently? So you're paying out of
8 your pockets to make all of this happen and much more. So
9 this is important, and we need to tweak it from time to
10 time, to make sure it's working very well. And so we've got
11 to get it right.

12 So I'd love to hear your opinions, but I can't
13 stay too long. I've got another meeting after this. But
14 we're recording this, and I'll get a chance to hear the
15 input later on. We look forward, the council does, to
16 hearing and seeing the recommendations in May.

17 I can tell you that generally the council is very
18 pleased with what's coming down, and it's looking very good.
19 We may have one or two things that we tweak a little bit,
20 but that's always normal. You know, that's the way it goes,
21 because it's give and take. We have the public's interest,
22 we have a Charter Review Commission interest, and you have
23 the council's interest. So I really, truly want to thank
24 you all for the work you're doing very, very much.

25 I want to just take a minute to introduce the

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1 elected officials here now. We have King Parker, a Renton
2 city council member there. King.

3 MR. PARKER: Do I get to say a word or two?

4 MR. DUNN: Yes, sure.

5 MR. PARKER: First thing, I welcomed most of
6 you here, and I really feel honored to have you in our city.
7 This is the Maplewood Golf Course. There's a River Rock
8 Restaurant right next door so you can always go ahead and
9 put a little "invitation" or something on that order after
10 this is all done. And remember that Renton is the city
11 ahead of the curve.

12 Thank you for being here.

13 MR. DUNN: Thanks. I also want to introduce
14 my friend Tom Carpenter, who's in the back. Tom, stand up.

15 Tom is the president of the Four Creeks
16 Unincorporated Area Council and a former Boeing engineer,
17 and that's the area, the unincorporated area of May Valley
18 and the surrounding -- probably about 23,000 people live in
19 unincorporated King County, and these UACs, we call them,
20 are growing in strength, and they're very useful local
21 representatives that we listen to a lot. Tom made me come
22 and give a speech the other day. I think he left me up
23 there for an hour and a half.

24 MR. CARPENTER: You didn't seem to have too
25 much trouble keeping having something to talk about.

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1 MR. DUNN: That's true. Well, we're
2 politicians. That's what we're paid to do.

3 So anyway, I just wanted to say thanks to
4 everybody, glad to be here, and give us your honest opinion
5 of whether you think we're doing the right thing.

6 MR. JENSEN: Thank you.

7 And I just wanted to say, too, you know, it's
8 funny. We've been doing this for over a year, and I have
9 only been nervous at these last few meetings, and it's
10 because we're bringing our work back to you, and we realize
11 how important this has been. This commission -- I have
12 gotten -- just gained the greatest respect for all the
13 people on the commission and the helpfulness of the process
14 that we've been through.

15 So at this same time we are bringing this work
16 back. We're not saying, Here's a done deal, but we're
17 looking for that input, and it is a little nerve racking,
18 because we are -- we know that this is work that will affect
19 you.

20 I would also like to acknowledge Jay Covington.
21 And Jay, I don't know if you would like to say a word or
22 two, the city manager from the City of Renton.

23 MR. COVINGTON: Thanks. My boss welcomed
24 you. So let's get -- actually, I'm here representing the
25 Suburban Cities Association, as well. So I'll speak in a

0026 minute. But thank you.

2 Anyway, just to repeat what Councilman Parker
3 said, thanks for coming out, and more importantly, spend
4 money on your way out of town. And again, I'll speak later
5 on behalf of the Group Cities Association. Thanks.

6 MR. JENSEN: Thank you very much.

7 I also want to acknowledge one of our
8 commissioners just stepped in, and I don't see Terry, but
9 Terry was my cochair -- okay. Good. Terry was my cochair
10 on the Rural and Local Services Subcommittee. I'm glad that
11 he made it. It was probably crazy driving down here.

12 We'll go into our public comment, and our first
13 speaker will be Kelly Haughton.

14 MR. HAUGHTON: Hi. My name is Kelly
15 Haughton, and I'm from Gig Harbor, which is not in King
16 County. I was a charter review commissioner in Pierce
17 County when we had our last charter review session, and I
18 was the sponsor on the Charter Review Commission of the
19 instant run-off voting or [inaudible] choice voting
20 amendment, and I wanted -- I've heard tell that a few people
21 have come and testified here before the commission and said
22 they'd like to try that here in King County, and I wanted to
23 do -- first of all, to encourage you to do that, because I
24 think it's a great system of voting.

25 Second of all, I wanted to note that I've

0027 testified before the subcommittee, and since that event, a
1 couple of things have happened, the most important of which
2 is that we've had the Supreme Court come back and change our
3 election system here in the state of Washington from the
4 pick-a-party primary to the top-two system. And in
5 addition, there has been an increased interest in King
6 County. I think there's a group collecting signatures for
7 nonpartisan -- making the positions at the county level
8 nonpartisan.
9 nonpartisan.

10 So I think each of those two things should cause
11 the King County Charter Review Commission to consider that
12 voting is sort of in a state of flux here in the state, and
13 in particular in King County, and that you might want to
14 consider, given all the public input, the possibility of an
15 instant run-off voting charter amendment.

16 The other thing I wanted to say is to give you a

17 little bit of flavor of what's going on in Pierce County and
18 how it fits into those things. The first thing is that we
19 have, I believe, the only announced independent candidate in
20 the state of Washington for a partisan position in Mike
21 Lonergan, who's running for county executive. He is running
22 for county executive as an independent, and there's at least
23 a couple of reasons for that in that in the law that we
24 passed, the charter amendment that we passed, we provided
25 that ballot access be the same for independent candidates as

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1 it is for partisan candidates. This is a little bit
2 different than what the old state law is. I don't know what
3 it's going to be with the new top-two system.

4 And the other part is that instant run-off voting
5 really levels the playing field and makes it possible for
6 independent candidates to compete effectively in running for
7 partisan positions while still allowing, of course, parties
8 to have a significant role in the process.

9 We think that that balance between giving a fair
10 shake to independents, because there's a large number of
11 independent people certainly in Pierce County -- I think
12 that's true in King, as well -- to have them have a fair
13 shake and still allow for vigorous participation by our
14 parties, which are important political institutions, my
15 belief.

16 So Mike's participation, I think, is a good one,
17 and, you know, the law that we've adopted in Pierce County I
18 think provides a nice alternative to going completely
19 nonpartisan. And I know that that's likely to -- well, I
20 don't know about likely, but it's -- some folks are trying
21 to get that on the ballot, and I think it would be nice to
22 have that alternative on the ballot here in King County this
23 time around.

24 And I'm going to stop now, but I'd be happy to
25 take any questions, if somebody has some. Thank you.

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1 MR. MUNRO: Yeah. I'm kind of of the "if
2 ain't broke, don't fix it" school, and I'm concerned with
3 this instant run-off voting, and I'm trying to keep an open
4 mind, here, that there may be some unintended downside to
5 it.

6 Our recommendation is that we watch the way this
7 works in Pierce County. And I tend to feel that we should
8 be cautious about this and see how it works, and if it works
9 right, then reconsider when the -- when our successor
10 Charter Review Commission assembles ten years from now.

11 I know that Cambridge and San Francisco, and
12 there's some other examples where it is used, but I don't
13 understand the political environment of those urban areas,
14 and so I don't feel like I can judge how well it's working.

15 I see that the problem we've got here is counting
16 the votes right and totaling them up right. That's where
17 I'm worried. If we can do that, then what is it about the
18 current system that's so bad that it's got to be changed?

19 MR. HAUGHTON: I'm glad you asked that
20 question. Well, I don't like the current system for a
21 variety of reasons, and I think the first one is that the
22 top-two system, which is a new system we're going to be
23 using in this state for our elections, not -- so when you
24 say, "It ain't broke, don't fix it," well, we're in the
25 process of fixing something that was probably broken -- I

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1 didn't like the pick-a-party primary myself, either, but

we're moving to a new system anyway. So that's the first point.

The second point is that you end up doing a lot of what I call strategic voting in a top-two system; that is, you and strategic candidacies.

There will be no independents on the ballot in November because of the top-two system. I'm going to make that rash prediction, but I'm pretty sure I won't be proven wrong. And that's because what will happen is that voters will not waste their vote on an independent or minor party candidate, because they want to contribute to somebody to making it through to the general election, the lesser of two evils.

People are required to vote for the lesser of two evils. So they don't feel good about their votes all the time. Okay? The current system allows there to be situations -- the top two will force you to vote for not the candidate you think is the best candidate. It will force you to vote for, of the ones that have a chance, which one do I like the best or dislike the least.

And what IRV provides you with the opportunity to do is vote for the person you really think is the best candidate as your first choice, and if that person doesn't happen to make it through, you can list your second choice

as this lesser of two evils.

The current system will not allow you to do that, and it's, in my opinion, it's broken for that reason.

MR. JENSEN: Okay. Let me -- just so we can go through and get onto some other subjects -- but I will ask you to do one thing, because I think a lot of people in the audience may not even know or understand what IRV is.

First of all, just let me say where we're at on it is we did say in our regional government subcommittee, and I believe the full commission accepted that, that we would recommend to the council that they come back and look at IRV at a future date, after -- well, we have the elected elections auditor coming up on the ballot this fall, and also to see what Pierce County and King County -- and to see how Pierce County did in working it out.

I think one of the things I've heard from commissioners' feedback is that we would maybe be more specific in the date and the recommendation to the council as far as when they'd come back and look at it.

So I think you've already got not only some traction but even more traction with the number of people that have spoken to it, and very well. But what I'll ask you to do is maybe -- if we move through some of the other issues fast enough, if you would be willing to stay and come back up and explain at the end how IRV would work in today's

political climate with our presidential election, because I think it's a great way to use it as an example.

So if you would do that, and then I just want to make sure that I don't cut these other people short on the different issues.

MR. HAUGHTON: Okay. I was just trying to answer the question. I understand I went too long.

MR. JENSEN: No, that's okay.

MR. HAUGHTON: I would say one of the interesting things that has happened in Pierce County is that we have an interesting parallel with the presidential election in that we have two very strong democratic

13 candidates for county executive. As it turns out, it's a
14 man and a woman, and they're going to both be on the
15 November ballot. They are not beating each other up right
16 now.

17 And there's going to be one Republican and two
18 Democrats and an Independent all on the ballot in November,
19 and it's going to be great for voters, because they're going
20 to get to make the choice, and they're going to have --
21 they're not required -- they're not going to be required to
22 have Obama beat up Clinton and vice versa. They're going to
23 have those two candidates who will both be on the ballot,
24 come November, and make a choice.

25 So it's a very neat analogy right now. But I will

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1 defer.

2 MR. JENSEN: Yeah. And what I'm asking for
3 is if you'll explain it from the voter's perspective so
4 that -- you know, in a presidential election, people -- you
5 know, and that would just help. And I would love to have
6 that done when --

7 MR. HAUGHTON: More choice in November.
8 That's the main thing. I'll sit down now.

9 MR. JENSEN: Thanks, Kelly.

10 Our next speaker is Kathy Sakahara.

11 MS. SAKAHARA: Thank you. I'm Kathy
12 Sakahara. I'm a resident of unincorporated King County,
13 outside of Maple Valley, the Hobart area. I also serve on
14 the board of a group called the Religious Coalition for
15 Equality. And Religious Coalition for Equality is a group
16 of ministers, rabbi, and lay activists from faith
17 communities who feel called upon by our faith to stand up
18 and speak in opposition to any kind of discrimination based
19 on sexual orientation or gender identity.

20 So I'm here this evening to say thank you to -- as
21 John said, you guys are doing a good job. You're doing a
22 great job -- and to speak specifically in favor of your
23 proposed amendment to include a prohibition against
24 discrimination based on sexual orientation in the charter
25 and also to suggest some additional language.

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1 So I came here this evening with that intent, and
2 I didn't that know we were going to learn so much about
3 county government. I really -- I appreciate the education I
4 got tonight, and I was really struck by how much hard work
5 you folks have already done and how much you have to do.

6 You have some really complicated issues to deal
7 with, questions of, you know, what are the legitimate
8 qualifications for an assessor or an elections director or
9 how do you deal with discipline in a collective bargaining
10 situation. Those are hard problems.

11 The one which I'm speaking about right now is not
12 a hard one. It is, as Tara said, very simple and very
13 straightforward. I hope we always get the best person to be
14 an assessor and elections director. I hope they have great
15 qualifications. I don't care who they love, I don't care
16 who they share their home and their life with, and I don't
17 care about that person's gender. And I think it's becoming
18 very clear as the Country and the State have talked about
19 this issue. This debate has gone on for 35 years.

20 I think at least in this state and in this county,
21 we finally, after 30 years -- the State passed a
22 nondiscrimination law. Took us a long time, I have to say,
23 despite great leadership from the governor's office in the

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24 mid '90s also in that time, but we finally got it passed in
25 the state.

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1 As Tara Jo said, we haven't passed it on a
2 national level yet. It did pass the House of
3 Representatives this year, but politics being what they are,
4 it hasn't been passed by the senate yet. I'm optimistic
5 that even on a national level, this debate will be settled
6 soon.

7 But I think that to incorporate it into the King
8 County Charter is really consistent with what I think of
9 King County, especially now that it's called the Martin
10 Luther King County -- the Martin Luther King, Jr., County,
11 that's very consistent to be very clear that discrimination
12 is not welcome here.

13 I would also like to ask that the commission
14 consider adding the language "gender identity." It's my
15 understanding -- I am not a lawyer. I'm a mom. I'm a
16 church lady activist. So I speak to you not as a lawyer,
17 but I have been working on this issue for more decades than
18 I want to admit, and it's my understanding that county
19 ordinance defines sexual orientation as including gender
20 identity.

21 That might be the legal definition that the County
22 has come up with. It is not the definition that the state
23 government came up with, and frankly it's not the definition
24 that most people understand. Most people understand sexual
25 orientation as being, basically, gay, straight or bi.

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1 And I do a lot of work in churches and other faith
2 communities, and that's sort of the common understanding.
3 We're trying to educate people about the issue of gender
4 identity, which includes not only transgendered persons but
5 also people who don't conform to gender stereotypes, either
6 by their behavior or their appearance.

7 So it is my understanding that technically the
8 county ordinance now does protect gender identity and gender
9 expression, does protect both transgendered persons and
10 persons who -- as when I was growing up, I was told, Behave
11 like a good little girl or a good little boy, and we all
12 have our own roles.

13 While the county ordinance does now cover that, I
14 think it would be clearer if the language of gender identity
15 was specifically incorporated into the amendment. And our
16 CE is working with a group, Equal Rights Washington, which
17 is an LGBT advocacy group, and ERW will be submitting their
18 proposed language. So I won't be doing that here tonight.

19 But I do want to let you know that there is, you
20 know, folks out in the suburbs and out in unincorporated
21 King County who appreciate the work you're doing, and I
22 really want to say thank you for taking this step to make it
23 clear what kind of place King County is.

24 Can I answer any questions? Okay. Thank you.

25 MR. JENSEN: Thank you.

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1 Our next speaker will be Becky Cox. After Becky
2 will be Margaret Nelson.

3 MS. COX: My name is Becky Cox, and I'm
4 president of the League of Women Voters of King County
5 South, which incorporates all of this particular area that
6 we're in, and I'm speaking on behalf of both leagues.
7 There's a League of Women Voters of Seattle and also King
8 County South.

9 And the league, the way we come up with our
10 positions is we spend a lot of time studying, kind of like
11 what the Charter Review Commission has had to do. We spend
12 many years developing positions, and that's what we base our
13 statements on tonight.

14 The League of Women Voters of Seattle and the
15 League of Women Voters of King County South support a
16 home-ruled charter that is free of statutory law. We
17 believe that King County metropolitan government should have
18 public involvement as a core value. We commend you for your
19 participation in this charter review process, and we would
20 like to submit the following comments on the proposed
21 amendments.

22 Charter amendment by citizen initiative. The
23 leagues of King County support measures that provide ways
24 for citizens to amend the charter.

25 Council action on charter review recommendations.

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1 We have a longstanding position that charter review
2 recommendations to the council should be placed
3 automatically on the ballot. This position was developed in
4 response to the concern shared by the commission that the
5 county council ignores amendments. We support this
6 amendment that requires the council to act on
7 recommendations as a possible solution to the council's past
8 pick-and-choose approach to the council -- to the
9 commission's amendments.

10 Regional committees. The league supports a
11 county-wide policymaking body with legal authority to
12 establish policy for functions which require area-wide
13 solutions. We understand quite well the importance of
14 regional planning and governance for some of our most
15 important issues. We support the efforts of the commission
16 to enhance the effectiveness of these committees.

17 Open space protection. The league of Women Voters
18 of Washington support establishing priorities for open space
19 that are based on the character and needs of the population.
20 The leagues of King County support the amendment, providing
21 additional protection over open space land owned by the
22 county, acquired for their high conservation value.

23 Anti discrimination. The league believes that all
24 levels of government share the responsibility to provide
25 equality of opportunity for education, employment and

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1 housing for all persons, regardless of race, color, gender,
2 religion, national origin, age, sexual orientation or
3 disability. We support adding sexual orientation and gender
4 identity to the classes protected from discrimination.

5 Qualifications for assessor and/or elections
6 director. We also support a system of clearly-fixed
7 responsibilities, and we believe jobs requiring technical
8 skills should be appointed. Since the office of assessor
9 and/or elections director may become an elected position
10 before the next charter review, we support the amendment
11 that minimal qualifications be required for this
12 increasingly technical position as they are for sheriff.

13 Charter Review Commission appointment and
14 confirmation process. We support the charter review
15 process, but we agree there must be a clear, consistent, and
16 open process for appointing and confirming the review
17 commission members.

18 New commitments to unincorporated area residents.
19 We commend you for acknowledging the concerns raised by the

20 unincorporated area residents regarding representation. We
21 support the changes made to the preamble.

22 The rest of the amendments we are not taking any
23 positions on. Areas of concern that we have in addition to
24 this, in light of recent campaign financing reform at every
25 level of government recommended with the passage of

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1 ESSB 5278 by the state legislature, we recommend that the
2 commission address public financing of campaigns for King
3 County office during this review session. We believe the
4 commission has the opportunity to influence this important
5 reform process but within King County.

6 Once again, we thank you for your time and
7 efforts, participating in this process, and we applaud you
8 for your accomplishments. This is signed Denise Smith,
9 President, League of Women Voters of Seattle, and myself,
10 Becky Cox, from King County South.

11 MR. JENSEN: Thank you, Becky. Thanks for
12 all of your input. Are there any questions?

13 MR. MUNRO: I know Becky, because she lived
14 across the street from my parents while they were still
15 alive.

16 Recognizing that the sheriff used to be an elected
17 position and then when -- that was pre charter -- and then
18 in the 1990s became an elected position again, we have a
19 situation, here, where the public thinks the sheriff has
20 control over her working -- the working conditions of her
21 staff that probably exceeds what she actually has, and
22 they're holding her accountable or will in future elections.
23 But she doesn't really have any charter power to have an
24 influence there.

25 Did the League of Women Voters discuss this issue

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1 about the input of the independently-elected officials in
2 the collective bargaining process?

3 MS. COX: No, we did not. We have not taken
4 a position on that. But we -- as I say, we did support the
5 establishment of qualifications for the office and support
6 the same for the director of elections, if it becomes a
7 charter change.

8 That's one we didn't do. Sorry, Al.

9 MR. JENSEN: Are there any other questions
10 for Ms. Cox? Thank you very much.

11 The next speaker is Margaret Nelson.

12 MS. NELSON: Thank you. As Ms. Spindel will
13 be speaking and has the same opinion, I would like to pass.

14 MR. JENSEN: Oh, okay. Thank you. The
15 speaker is -- pardon me for getting the name wrong, but I
16 believe it's David Nielsen. Thank you, David.

17 MR. NIELSEN: This is a subject that's
18 already been raised so I'll keep my comments pretty short,
19 but I'm here to endorse the instant run-off voting, and I
20 think that there's enough experience that we should be able
21 to go through it right away. But if we're going to wait, I
22 would like, as you said, to have some more specificity about
23 when it's going to be looked at again. And I certainly hope
24 we don't have to wait ten years, till the next charter
25 review, before we look at it again.

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1 I am concerned about the fact that the current
2 system -- the elected officials have all gotten into office
3 with the current system so they have a bias in favor of the
4 current system. But I think it's a good system and gives

5 you a second choice and a third choice, as this other
6 gentleman explained a little bit, and I just wanted to give
7 my support for it.

8 MR. JENSEN: Thank you very much.

9 And just for clarity, the idea that it's a
10 ten-year window, it is a ten-year -- it's mandated by the
11 charter that our commission convene every ten years, not the
12 same people, but the commission be convened to review the
13 charter. But in between those ten-year periods, there are
14 different ways that the charter can be amended. One is
15 through initiative, and also the council can put forward an
16 initiative at virtually any time.

17 So us saying to the council that, you know, a year
18 from now or a year and six months from now you should look
19 at this and evaluate it, that would allow them at that time.
20 They could still move on that, just for clarity.

21 Are there any other comments from the other
22 commissioners on that?

23 MR. LOWRY: Well, I think that's a good
24 point. Frankly, we have received, in my opinion, and I've
25 heard a lot of fellow commissioners say this, really

0043 1 impressive testimony on why this should be looked at.

2 I myself am not quite as moved by wait and see
3 what happens in Pierce County, with just, plain, the fact
4 that it's not very long between now and November of this
5 year. You know, it is such a large thing that, you know, if
6 we were a year ago, or something, it would --

7 So we've been talking, in response to testimony
8 we've been hearing, about really working on how much we can
9 work on really trying to make a strong statement that we'd
10 really like this looked at at the earliest possible time,
11 and maybe for next year. But to me, it's actually been more
12 it's just so close for such a huge thing to this November,
13 I'd be just worried about how that would be done.

14 But, you know, so that didn't add much, but it's
15 really been good testimony. And there's some comments that
16 I myself have really, really agreed with, which it might
17 work on getting rid of some of the negativity in these
18 campaigns, which I think all of us are thinking might be a
19 real plight on democracy, because -- you know. And so
20 there's [inaudible] things that we've all talked about.

21 Pardon me for rambling on, but I really think it's
22 been good testimony.

23 MR. JENSEN: The other night in Shoreline we
24 had, I think, 10 or 12 kids from the [inaudible] schools,
25 and they were wonderful and eloquent, and, of course, then

0044 1 Joe [inaudible] sang a song at the end. So we were quite
2 convinced that it was worth taking the time to look at.

3 The next speaker is Shirley Day.

4 MS. DAY: I wasn't speaking. I put a "no."

5 MR. JENSEN: Oh, I'm sorry, Shirley. Then
6 the next speaker is Mr. Covington, from the City of Renton.

7 MR. COVINGTON: Thank you all. It's a
8 pleasure to be here. As I mentioned, in addition to my
9 duties with the City of Renton, tonight I'm speaking as a
10 board member for the Suburban Cities Association and
11 representing that organization and testimony, and I want to
12 reiterate what others have said. We appreciate so much the
13 hard work.

14 It's always a pleasure to speak before Governor
15 Lowry, who is, of course, one of Renton's own. We

16 appreciate everything he's done not only for our city but
17 for the state, and certainly in this capacity.
18 As you all may know, the Suburban Cities
19 Association provides information education advocacy on
20 behalf of its 35 member cities. Collectively, these cities
21 represent approximately 785,000 King County residents or
22 53 percent of the population of incorporated King County.
23 We've been pleased to participate throughout the
24 review process of the King County Charter. Newcastle
25 Council Member Sonny [inaudible] and Suburban Cities

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1 Association Executive Director Karen Grosky have attended
2 and participated in most meetings of the commission as well
3 as its regional governance committee and work groups.
4 They've been complimentary of the inclusive process of the
5 commission's work.

6 Early in 2007, SCA formed a work group to draft
7 the SCA recommendations for amendments to the King County
8 Charter. I participated in that work group. Those
9 recommendations were then vetted in our public issues
10 committee, where an average of 25 city-elected officials
11 coalesce on a monthly basis and discuss these issues.

12 The SCA board of directors acted on the work of
13 the public issues committee and, on September 20, forwarded
14 our recommendations to you all. The issues of our
15 association were grouped into four subject areas, annexation
16 transition, regional committees, county-wide special purpose
17 districts, and good government.

18 Recognizing that the commission had a limited
19 amount of time to address a myriad of issues, we're pleased
20 that so many of the issues of the suburban cities were
21 included in the areas of good government and regional
22 committees.

23 Although the commission's proposed amendment to
24 the charter regarding the regional committees do not
25 necessarily correspond to the original recommendations from

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1 SCA -- I can't believe you guys didn't just adopt them -- we
2 do feel like progress was made and appreciate the efforts of
3 all parties involved. Therefore, the SCA wholeheartedly
4 supports the recommended amendments in Sections 230.10,
5 270.20 and 270.30 for the regional committees.

6 Under the heading of good government, SCA had
7 recommended that there be urban unincorporated transition
8 committees in the urban unincorporated areas. We felt that
9 the charter did not intend for there to be any kind of
10 government structure in urban unincorporated areas. SCA
11 feels that the compromise reached with the office of the
12 King County executive and county council which had resulted
13 in a proposed charter amendment in Section 320.20 may
14 address our concerns.

15 We'd also recommended that the charter review
16 process should be amended so that the recommendations of the
17 commission must be submitted to the voters as drafted by the
18 commission. This new provision will strengthen the role of
19 the Charter Review Commission. It will guarantee that the
20 work of the commission will be reviewed by the voters.

21 Again, the proposed amendment to the charter that
22 you come up with in Section 800, that would require the
23 county council to review and take action on all Charter
24 Review Commission recommendations is certainly a step in the
25 right direction.

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1 Finally, SCA recommended that citizens should be
2 permitted to amend the charter through the citizen
3 initiative process by means of a super majority vote.

4 THE REPORTER: (Requesting that speaker slow
5 down.)

6 (Discussion off the record.)

7 MR. COVINGTON: Finally, SCA recommended that
8 citizens should be permitted to amend the charter through
9 the citizen initiative process by means of a super majority
10 vote. This option creates a more responsive government
11 which allows the public to submit charter amendments to the
12 voters through the initiative process.

13 Again, the commission's proposed amendment in
14 Section 800.20, clarifying the citizen initiative process --

15 MR. PARKER: Slow, slow, Jay, slow.

16 MR. COVINGTON: -- is generally responsive to
17 the intent of SCA's recommendation. While the proposed
18 amendment doesn't require the super majority vote, it at
19 least sets the threshold for required numbers of signatures
20 to 20 percent, and we think that would help ensure that all
21 the initiatives with broad-based support are successful.

22 Again, we appreciate the many, many hours that you
23 all have undertaken in this. I'm pretty sensitized to the
24 work of volunteer boards, and I do appreciate very much
25 that. Thank you all for this opportunity.

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1 MR. JENSEN: Thank you. Do you have any
2 comments from the commissioners?

3 Thank you very much, Jay.

4 Our next speaker is Barbara Spindel.

5 MS. SPINDEL: I'm Barbara Spindel. I live on an
6 unincorporated island of Bellevue. So I appreciate your
7 attention to those areas of the county. And I am joined
8 here tonight by Lori Robinson, from Mercer Island, Margaret
9 Nelson, from Federal Way, and Phyllis Forister, from Renton,
10 and we're all concerned patrons of the King County Library
11 System, what we've presented to the commissioners.

12 And I'm very glad that we decided to come tonight
13 to thank you, John, especially because you said you were
14 nervous. And we truly appreciate the attention that the
15 commissioners have given to our concerns about the library.
16 It would have been very easy for you to listen to us and
17 then to dismiss our concerns because they were beyond the
18 purview of the King County Charter Review Commission.

19 The library system, being a rural library
20 district, falls under the State, and I'd like all of you
21 that are here, who are concerned citizens, to understand
22 that this commission really went above and beyond for us. I
23 think you truly understood the spirit of the review process,
24 and you had a group of concerned citizens who wanted a
25 transparent system within their library so that they could

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1 follow and make sure that the library systems in this county
2 truly are the heart of the community.

3 And we appreciate your concerns, and I think your
4 letters of recommendation are -- hopefully will make the
5 difference. We continue to go before the board of trustees,
6 and we continue to ask for open meetings, and we're hoping
7 that the letters make the difference.

8 MR. JENSEN: Thank you very much.

9 MS. SPINDEL: Thank you.

10 MR. JENSEN: Are there any comments from the
11 commissioners? I will again just say our commission has

12 been a wonderful learning experience, and I do think
13 Governor Lowry and his cochair, Lois North [ph] have had a
14 large effect on how we operated over the last year.

15 And another person that gave us a lot of input and
16 a lot of help is our next speaker, and that's Mr. Tom
17 Carpenter, president of the Four Creeks UAC.

18 MR. CARPENTER: Thank you. Let me apologize
19 in advance. I'm at the tail end of a cold so I have both
20 lozenge and water.

21 First, I'd like to comment that it's an old adage
22 that you don't ever mess with people who mess with your
23 food, and I noticed the audio video -- audio visual people,
24 here, had to bring their own sack lunches. If I had known,
25 I would have bought you guys dinner. We are going to

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1 broadcast this, you know.

2 You haven't got a chance. I was not a Boeing
3 engineer. I was a Boeing executive. Engineers do real
4 work. But it was -- I was known to coin the phrase
5 "articulosity," which was the ability to articulate at
6 extremely high velocity. So you really don't have a chance.
7 Everything that I'm going to do is [inaudible].

8 I only have 13 pages. Actually, what this is, I'm
9 going to submit written comments. I'm just going to
10 highlight a couple things tonight that are important.

11 I'm also very grateful that Jay Covington and King
12 Parker are here, because I think this annexation discussion
13 that we obviously wrestle with a considerable amount needs
14 to get clarified, and I'm looking forward --

15 I just sent a note today or email today --
16 yesterday, to King. I've talked to the mayor and also to
17 Don Person, at Renton City Council. We just need to get on
18 with trying to do this the right way.

19 The annexation initiative in King County is
20 broken. The dialogue between the citizens, the County and
21 the municipalities is broken. And unfortunately, one big
22 issue is that the citizens are being left out of the
23 dialogue.

24 So let me just read a few of these comments, and
25 then, like I said, I will submit these writings before the

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1 deadline [inaudible].

2 I would like to, first of all, acknowledge the
3 commission also. It's a little pathetic to say, but I
4 actually went to most of the rural local subcommittee
5 meetings and to a couple of the charter commission meetings
6 themselves. If you have -- one of the problems with being
7 retired is that you have time, and you run out of excuses
8 for not participating a little bit.

9 I was incredibly impressed. It's a piece of work
10 that takes a very long time, takes a certain amount of
11 dedication and commitment, and I actually was very pleased
12 to have had the chance to meet quite a number of the panel,
13 here, and also with Terry Lavender, in the back, and I think
14 that you guys did an incredible piece of work. However,
15 since I've set you up that way, I'm going to tell you that
16 my comments are going to be somewhat critical, but I'm
17 assuming that you'll see it as feedback, not as personal.

18 So although I'm pleased with the -- I'm going to
19 read now. Although I'm pleased with the efforts and
20 dedication of the Charter Review Commission, I'm somewhat
21 disappointed with the results both in terms of some things
22 that have been included and, perhaps more important, the

23 issues that were not, in my opinion, adequately addressed.
24 A number of factors could have contributed, including the
25 current strain between the executive and the county council

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1 that spilled over onto the commission.

2 One item -- there are a couple others, but I'm
3 going to pick on the open spaces stuff, and I need to make
4 people understand that I'm the first one in line when it
5 comes to environmental issues. But it perhaps is the most
6 blatant example of items inappropriate to the charter was
7 that piece of work.

8 Argument over when to open spaces [inaudible]
9 public to remove a property from a list is totally
10 inappropriate to charter-level discussions. Adding a list
11 of critical open spaces to the charter to force a vote of
12 the people to rural areas is akin to a list of national
13 parks in the U.S. Constitution to prevent a park from being
14 removed without a Constitutional convention. If you're
15 going to open the door to deal with this in the charter
16 level, you might as well invite Future-wise [ph] and Master
17 Builders and a few others to the table and assume that their
18 issues are charter-related also.

19 I'm also concerned that we have 1.12 million acres
20 of King County land as unincorporated in the critical areas
21 ordinance from 2004. On average, protected 65 percent of
22 that land from development [inaudible] acres. Now, why do
23 we need another 100,000? The addition of a 100,000 acres
24 would bring the critical area protected to a minimum of
25 74 percent of King County's unincorporated land. That's not

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1 even counting the 1,700 transfer development rights that the
2 County and private enterprises purchased, conservations,
3 easements, and other means by which the land is protected
4 from development and its use restricted.

5 The question isn't whether this should be
6 addressed. The question is: How much is enough? I don't
7 know whether we're not doing enough or doing too much, and
8 that question, unfortunately -- that question was not
9 brought forward on the commission. I think that was -- we
10 need to start asking the questions about, Are we doing more
11 to ourselves than we should, because there are consequences
12 to the decisions we make in these particular areas.

13 Don't misunderstand. Again, I'm the first one to
14 come along to try to get things protected. To be fair, if
15 74 percent of the land inside the cities is in the county,
16 the unincorporated part of the county, we ought to be
17 talking about 74 percent of the land inside the cities
18 protected from development. Obviously, that's totally
19 impractical, at least given GNA, but the point is the
20 Charter Review commission -- or Committee had failed to take
21 these factors into account.

22 Urban unincorporated. The whole discussion on
23 urban unincorporated areas was not only inappropriate but
24 failed to address the real charter-related issues for these
25 areas. In my opinion, the County's annexation issues is

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1 broken. It creates an unfunded mandate for the cities and
2 uses a stick approach to motivate residents to support
3 annexation. It totally ignores residents to support
4 annexation. It totally ignores the people in the process.
5 I'm talking now to residents who happen to live in one of
6 these PAs up on the plateau, not too far from here. Instead
7 of being politically correct, the CRC should have made a

8 strong statement about the County's responsibility for these
9 areas.

10 Unlike what my friend Jay Covington says, there is
11 a jurisdiction responsible for these areas, and it is King
12 County. There is no intent to leave these places without
13 representation. It should have addressed the fact that the
14 residents of these areas are no longer relevant in the
15 conversation.

16 These areas are neither fish nor fowl. They have
17 a low priority list in the county, a low priority list in
18 the PACs. We're playing politics with these neighborhoods
19 and communities, and it's showing big time. The County
20 failed to maintain critical infrastructure and has allowed
21 hit-and-run development in these areas. The County has an
22 obligation to these areas as long as they're in their
23 jurisdiction. They can reduce service levels, but they
24 can't ignore what's happening in these areas. At least a
25 discussion at the CRC level about how to make sure the

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1 charter supports while the transition is going on in the
2 County as it grows would have been appropriate.

3 Separating regional and local responsibilities.
4 The county -- the charter review process has failed the last
5 two times to deal with this issue of unincorporated areas,
6 and may I remind you that means, from a jurisdictional
7 perspective, the entirety of King County. I'm very aware of
8 the deputy executive for unincorporated affairs proposals,
9 as you well know, but it doesn't deal with what was
10 described in Minority Opinion to the 1996/1997 CRC
11 unincorporated areas report, which did an eloquent job of
12 separating the question of representation from the actual
13 problems being faced in the unincorporated areas, meaning
14 land use and service quality.

15 The recommendation from the '96/'97 CRC was that
16 regional and local responsibility in the county needed to be
17 separated. The governor's commission was created based on
18 the recommendation of that committee addressed the needs
19 even further. The deputy executive position fails to either
20 separate the regional local activities of the County or to
21 implement most of the substantive ideas from the governor's
22 commission.

23 Strained relationships. A simple comment here is
24 unfortunately, again, the current strained relationship
25 between the county exec and county council -- by the way, I

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1 deal with both of them, and that's not being
2 disrespectful -- along with the polarized positions
3 expressed by certain special interests, have been reflected
4 in what manifests the Charter Review Commission.

5 The county council has been drawn into
6 micromanaging the executive's departments and initiatives
7 while the executives describe the County as regional first
8 and local second. This is a charter issue, and what was
9 included was inadequate.

10 Let me just highlight a couple of [inaudible] I
11 didn't see addressed.

12 80/20. King County is split 80/20. 80 percent of
13 the population lives on 20 percent of the land, and, of
14 course, that's inside the cities. In my opinion, if
15 80 percent of the population lives on 20 percent of the
16 land, that means, in a democracy, representative democracy,
17 that the decisions about what happens on the land that these
18 20 percent reside on is being made by people who, in

19 general, do not understand what's going on in that area.
20 Now, I'm not suggesting we turn democracy on its
21 head. What I am suggesting, however, is the two issues that
22 the condition creates. One is fundamental to democracy,
23 which, in the United States, is not just majority rule.
24 It's also minority rights.

25 If you don't believe me, I think it would be good

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1 to take a look at the fed's web site. It has an article on
2 it called "Democracy in Brief." It does a very, very
3 excellent job of describing this kind of balancing act that
4 we in the United States deal with when we're dealing with
5 this issue of majority rule and minority rights.

6 The other problem is there's an 80 percent chance
7 that people without the experience of living on a farm or a
8 rural setting or with rural economics are making decisions
9 for those that do not have this -- that do have this
10 experience. It's a solid argument that those 20 percent of
11 the population who live on 80 percent of the land are also
12 the best source of knowledge on how to be custodians and
13 stewards of these natural resources. They're the ones that
14 live there.

15 Land use and growth. This is just a big issue,
16 and I don't think we addressed it very well.

17 Regional versus local. I've mentioned that
18 before.

19 Hands on/hands off. The unincorporated areas
20 are -- the unincorporated urban areas, as an example, need
21 help from the County and the cities because of impacts of
22 being dealt the blow of the County backing off services,
23 while the rural areas, as a whole, probably need less help
24 from the County. As a very good friend of mine recently
25 said, the rural areas are being loved to death.

0058

1 Data to drive decisions. This is back to the
2 question I mentioned earlier on the open spaces. We are 15
3 years into the first 20-year cycle of the Growth Management
4 Act. It is time for us to take a hard look around the
5 country at what results are actually being produced. I
6 could build and won't take the time tonight a very good
7 argument to tell you that I think that some of the prices
8 that we're seeing for housing is simply because of the
9 perception of reduced supply.

10 Managing organizational forums. This will be the
11 last comment I'm going to make. No organization is immune
12 from managing the weaknesses of that organizational model it
13 is based on. Bureaucracy, unlike what many think, is not
14 inherently evil. If it is, I'd like to have somebody
15 explain to me why Boeing Company in Puget Sound, four times
16 the size of King County, uses a bureaucratic forum to manage
17 the production of its airplanes and programs.

18 There are, in fact, however, predictable and
19 manageable common issues that face any bureaucracy. It's
20 time to get some focus on dealing with them, not just
21 shaking them off as inevitable or too difficult to deal
22 with. The form of government is fundamentally an issue for
23 the charter, and we didn't really spend much time talking
24 about the nature of the democracy that currently -- I'm
25 sorry -- the bureaucracy that currently exists inside of

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1 King County and taking a look at where charter-related
2 activities might be relevant when we start trying to resolve
3 some of the problems.

Let me just give you a brief list.

Even a nonjury [ph] bureaucracy can be affected by common problems. Overspecialization makes individual officials not aware of the larger consequence of their actions, [inaudible] procedures, making decision making slow, even impossible, if facing some unusual case, and certainly delaying change, evolution, adaptation of old procedures to new circumstances.

The phenomena of group thinking. Zealotry, loyalty, and lack of critical thinking regard the organization which is perfect and always correct, by definition, makes the organization unable to change and realize its own mistakes and limitations.

Disregard for dissenting opinions, the phenomena of catch-22. As the bureaucracy creates more and more rules and procedures, the complexity rises and coordination diminishes. The [inaudible] creation of contradictory rules.

If you want to find out whether that's true, take a look at the -- just the height of the codes inside of King County, just for building and land use. If you want to take a look the King County Comprehensive Plan, which is now well

over an inch and a half thick, which is unavailable to the people here, I mean, nobody can really understand that sort of stuff, which means that people are -- no longer have access to being able to understand these codes and ordinances -- comprehensive plans and policies [inaudible] about is a charter issue.

Thank you.

MR. JENSEN: Thank you very much, Tom.

Two things I want to say. Number one, thank you. Thank you for your help and your participation during the process. And for the audience, too, the fact that Tom has, you know, substantial differences of opinion, I think it shows some of the challenges we were faced with. There are a lot of pressures and were a lot of pressures, but I do thank you.

The other thing I want to mention is on the open space issue, and then I'll open it up to commissioners. But just for clarity for the people in the audience, because you used the term "critical areas" a couple times with it, I just want to make sure it's clear that the properties in the open space amendment are all properties that are already owned by King County. This is not going out and buying property. It is not addressing individuals' property that they own.

So whereas the Critical Areas Ordinance addressed

property you own and the government told you what you could do with your property, the open space amendment is property that the County owns, and we're giving the right to the citizens to tell the County what we want it to do with that property.

And your argument is a good one when it comes to the charter. I think that's a relatively strong argument, that there's a difference of opinion on what should or shouldn't be in the charter. But when it comes to those properties, it's just -- it's critical for people to understand this is not a go-out-and-buy-more-property amendment.

MR. CARPENTER: Yes, and I'll make -- reinforce that and the other point you made. I believe that

15 we have -- we are a representative democracy. I mean, we
16 should be holding our electives. I mean, Governor Lowry
17 made a point about this in a couple different cases when we
18 were talking about the deputy executive. We were debating,
19 if you recall, whether it's a deputy executive or just have
20 some departments. And his comment was, I'd rather see it at
21 the deputy executive level, because there, at least, I can
22 hold the executive, in this case, elected, accountable.

23 We need to be certain that what we're doing is
24 holding our department representatives accountable. And my
25 fear is that beyond the fact that I don't think that a list

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1 of open parcels in a charter is the right thing to do, I
2 really get concerned as we move further and further away
3 from continuing to support a representative democracy.

4 I'm not so certain it's a wise idea always to take
5 everything to the vote of the people. I think we need to
6 find a way to hold our electives accountable, and that's one
7 of the things that I believe we need to work on.

8 The second thing I want to do is go back to your
9 first comment. None of the things I'm saying -- as you
10 know, all of you know, I'm pretty forceful and abrupt in my
11 comments, and it's just the way I was trained, right? You
12 can blame my mother and father for that one. None of the
13 comments I'm making should be taken as personal or critical.

14 I mean, I was allowed to be able to actually
15 participate in the process far more than I think the Charter
16 Review Commission would even feel obliged to go do. So
17 nobody should ever take these comments as sort of -- as
18 critical of the process. I think the process is a good
19 process. I've just -- and I was given plenty of opportunity
20 to make comments. I mean, Gary and I e-debated quite a
21 number of times over the annexation discussion.

22 So I was heard, and I think you heard an awful lot
23 of people. So I don't think it was ever -- I don't -- I
24 personally don't believe there was ever a lack of interest
25 on the part of the council or the commission or its

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1 subcommittees to get input. So -- and I really appreciate
2 that. So again, I'm hoping these comments are taken as
3 constructive input, not as criticisms.

4 MR. JENSEN: No. Thank you very much, Tom.

5 MR. MUNRO: Don't run away. First, you were
6 talking faster than I can think.

7 MR. CARPENTER: "Articulosity."

8 MR. MUNRO: So I hope that we are going to
9 get copies of that. I'd like to -- if you'd give it to Tom
10 or Corrie, here, I'm sure she'll get it duplicated and get
11 it to us, because I want to read it.

12 MR. CARPENTER: Yeah. I'd like to -- what
13 I'm going to do is I need to clean this up a little bit, but
14 the deadline, I believe, is the 21st, if I recall, and
15 Corrie will have the full written statement, including the
16 comments I made tonight, by the 21st.

17 MR. MUNRO: And we meet next on the 24th?

18 FEMALE VOICE: The 22nd.

19 MR. MUNRO: The 22nd. Well, that gives me at
20 least a day. I'm a slow reader.

21 (General banter.)

22 MR. CARPENTER: It's Double-spaced. I
23 learned it from the lawyers. You want to give plenty of
24 room for editorial comment.

25 MR. MUNRO: With respect to your 80-20

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1 problem, which, I take it, you mean that since 20 percent of
2 the population is in these unincorporated areas, and
3 80 percent of the population is in the incorporated areas,
4 that it's basically undemocratic for the 80 percent to be
5 deciding local service rules, regulations, quality of
6 service provision, for the 20 percent.

7 MR. CARPENTER: No. I would never say that
8 it is not democratic. I mean, that is -- that's the
9 definition of democracy is that 80 percent of the population
10 is rightfully, by democracy, making those choices.

11 My concern is whether or not the people that are
12 the custodians of the 20 or 80 percent of the land have the
13 right kind of voice in what's actually happening in the
14 lands that they're in. It is a risk in democracy that we
15 begin to make decisions in areas that really are not places
16 that we have much experience about.

17 I'm much more concerned, Allan, about the degree
18 to which the people -- the majority is -- the degree to
19 which the majority understands as I am about whether it's a
20 democratic problem. In fact, I would never consider this a
21 democracy problem. It is a question -- at the worst or the
22 extreme, it's a question of rights.

23 I mean, the Property Rights -- I'm sorry -- the
24 Property Rights Movement is a manifestation of what happened
25 in growth management area and the manifestation of the

0065

1 Critical Areas Ordinance. And although I'm not -- I've been
2 wine and dined to be on the local property rights group,
3 I'm a little concerned. They're a little radical for me.

4 But nonetheless, their position is very important,
5 and that is: How do you assure, in a democracy, that the
6 majority that has the right of rule, which is true, here, is
7 sensitive and concerned about the rights of the minority.

8 In this particular case we're talking about the
9 majority being mostly urbans. And I don't think these
10 people are malicious or have "malintent" in terms of what
11 their decisions are, and I think they're doing this with the
12 best possible intentions in mind. But the need is do we
13 have the right kind of understanding about what is being
14 done to, in some cases, the 20 percent of the population
15 that lives on 80 percent of the land.

16 So it's not I'm challenging the democracy, here.
17 I'm simply adding this sort of minority point of view, if
18 you will, to the need in this balance, as I understand, of a
19 representative democracy in the United States.

20 I don't know if that helps.

21 MR. MUNRO: Okay. Just for example, if this
22 high-level position that we have recommended be created, if
23 that position were a definite King County executive, subject
24 to confirmation by the council, as Kathy Lambert recommended
25 in a letter to us last night, and the jurisdiction of that

0066

1 person was limited to rural areas outside the urban growth
2 boundary, would that improve the situation from your
3 standpoint, or would it be irrelevant to it?

4 MR. CARPENTER: No. It's irrelevant. I
5 still think that the appropriate scope, being
6 unincorporated, I mean, [inaudible] agree with this, but the
7 appropriate scope is unincorporated, because that's the
8 jurisdiction that King County has, at least for local
9 services. So it has to include the people that live inside
10 the unincorporated urban areas just as much as it has to do

11 with the rural areas.

12 The difference -- the only thing that would be
13 different is simply the issues that this, quote, minority
14 who lives in the unincorporated urban area, compared to the
15 urbanized area of the cities, will probably be different
16 than the issues that the population that lives in the rural
17 area will have.

18 This deputy exec position, which I support -- I've
19 written some long stuff that will be part of the
20 implementation process, because there's a lot of work yet to
21 be done to get that implemented properly -- I support that
22 position as being scoped to the entire unincorporated area,
23 including both urban and rural.

24 MR. MUNRO: Well, just let me follow up.

25 MR. CARPENTER: Sure.

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1 MR. MUNRO: Because every time you speak, you
2 impress me.

3 MR. CARPENTER: Oh, good night. Do you know
4 how pathetic that sounds? Especially from a lawyer.

5 MR. MUNRO: Don't you think that as the
6 number of cities in this county have grown, that this
7 patchwork quilt that I describe -- and it's probably a bad
8 metaphor --

9 MR. CARPENTER: That's a good one, actually.

10 MR. MUNRO: -- from the standpoint of
11 providing services to unincorporated urban areas, it has
12 gone to the point of almost being wholly impractical,
13 especially with respect to things like law enforcement,
14 because there are such great separations between these
15 areas. How do we handle that?

16 MR. CARPENTER: Yeah. We talked -- I
17 apologize. I mean, as long as it's useful, I'll stay; if
18 not, please vote me down.

19 The point that we talked about, and Gary and I
20 have talked about it with you guys at the council, was a
21 chart that I showed in a presentation we did, and that has
22 to do with subarea or community planning.

23 I happen to support the idea that the County is
24 reducing services in these areas. I think that's a good
25 idea. I think they have budget realities, and it's

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1 certainly a list of places that the service areas ought to
2 go down.

3 But the one thing I don't believe we should be
4 walking away from is the fact that these are transitional
5 areas. I don't care whether they're built-out urban areas
6 like West Hill or North Highline or they're areas like the
7 Plateau [inaudible] Renton, which, unfortunately, has got --
8 has had lots of infill developable lands and just got
9 absolutely trashed. And the reason was there is no plan.
10 There is no transition plan.

11 I put a docket item this year in for the
12 comprehensive plan that talks about establishing a
13 requirement, every time the urban growth boundary is moved,
14 to put a special district overlay on the area that is now
15 inside the unincorporated land and putting a requirement for
16 a cooperative agreement between the annex and the City, the
17 PAA, once it's established itself as a PAA, and the County,
18 to make sure there's a provision plan, and it be driven by
19 the people that live in those areas.

20 So it's not a question of whether we should be or
21 not be reducing services. I happen to believe it's wise to

22 not -- to reduce the services. But the problem is we're not
23 taking care of the things that I don't think we should be
24 walking away from, and one of them is: How do you manage
25 the transition of these areas, which in some cases is

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1 radical?

2 MR. MUNRO: Thank you very much.

3 MR. JENSEN: I'm going to ask your indulgence
4 for three minutes, if Kelly can do this for me, because I
5 feel like I cut him off in the beginning, and I just didn't
6 want to let it get away.

7 But Kelly, what I'm going to ask you to do, if you
8 would, you can use your Pierce County executives, if you
9 want, or it might be more entertaining to use the
10 presidential election, but just describe for people that may
11 have no idea what IRV voting is why it would be beneficial.

12 MR. HAUGHTON: I'm actually going to use the
13 Pierce County Executive race, because I think it's very
14 instructive, and I think that it's not very hard to draw the
15 parallels. We have in Pierce County that we have an open
16 seat for county executive because of term limits -- sounds
17 sort of familiar -- so there are lots of people who are
18 interested in running.

19 We have four serious candidates who are currently
20 elected officials, who have signed -- who have announced
21 that they are going to run for county executive. The rules
22 are you collect 25 signatures, you get on the ballot. There
23 is no primary. You fold -- basically, you fold the
24 primaries into the general election and have all the
25 election at once.

0070

1 The parties have been given the right to determine
2 which candidates can appear on the ballot with their name.
3 The Republicans have selected a methodology which made it
4 very difficult for them to end up selecting more than one
5 candidate, and they have one candidate, and that's Pierce
6 County Councilman Shawn Bunney [ph]. He's a Republican.

7 The Democrats have chosen a set of rules which
8 allow them to have up to three candidates on the ballot, and
9 I'll explain why that's a reasonable approach. I favor the
10 Democrats' approach to this on this particular one, I might
11 add.

12 And so as a result, both Pat McCarthy, who is the
13 Pierce County auditor, and Calvin Goings, who is a Pierce
14 County council member, are both going to be on the ballot in
15 November as Democrats. In addition, Mike Lonergan, I
16 mentioned before, looks like is going to be on the ballot as
17 an independent. So he will have no party designation next
18 to his name in November. So there will be four people on
19 the ballot.

20 For the voter, that means a few things. There
21 will be more people on the ballot for Pierce County
22 Executive than for any other position than the president, in
23 the state of Washington in November. Full stop. So more
24 voter choice. I happen to think voter choice is a good
25 thing.

0071

1 What will the voter have to do? It's very simple.
2 List your first choice, your second choice and your third
3 choice. That's all the voter has to do. Full stop.

4 Oh, I forgot. There's one other thing. If you
5 vote by mail, you'll probably have to put two stamps on
6 rather than one.

7 So that's about it. And so what the benefits are
8 for the voter is the voter gets to more fully express their
9 views on the set of candidates who are on the ballot, and
10 for those voters who only vote in the general election, and
11 there are quite a few of those, and there may be even more
12 of those this year, because we're having our primary in
13 August and most people associate August with vacations
14 rather than voting, so the votes -- what happens with the
15 top-two system is we eliminate candidates in the low turnout
16 August primary, and we're limited to only two candidates on
17 the ballot in the general election.

18 Now, one of the other aspects of this, which
19 Governor Lowry was referring to, which I want to bring up,
20 is that there's sort of this assessment that Mike Lonergan,
21 even though he has a better chance, may be the first
22 candidate eliminated. So because of the way the system
23 works, if he's the first one eliminated, the votes of the
24 people who chose him as their first choice go to the second
25 choice that they have.

0072

1 So nobody is going to say anything negative about
2 Mike Lonergan, to your point. Why? Well, if he's -- if you
3 walk up to a voter and say, Hi, I'd like your vote, Oh,
4 well, I'm voting for Mike Lonergan as my first choice, you
5 want to say, Can I be your second choice? You don't want to
6 say, He's a bum. Okay?

7 And in fact, we did a profile of Calvin Goings,
8 one of the Democratic candidates, and he explicitly said,
9 When I am out campaigning, if I shake somebody's hand and
10 they say they're going to vote for any of the other
11 candidates as their first choice, I immediately say, Can I
12 be your second choice.

13 I'll take his word for it. I haven't followed him
14 around.

15 So I think that what the system results in is -- I
16 mean, there's still going to be some negative campaigning.
17 I mean, I don't think it's going to do away with it
18 altogether. I don't want to oversell this. But I think
19 it's going to be reduced.

20 And the reason is that in a situation such as what
21 we have in the county executive race, it's almost certain
22 that no candidate will receive a majority of the first
23 choices. And since instant runoff voting requires you to
24 get a majority of the votes, you're going to need those
25 second choices to win. And so, boy, you just don't --

0073

1 you're going to shy away from the negative campaigning,
2 because you're going to want to get as many second choices
3 as you can, as well as first choices.

4 So I don't know if that answers your question.

5 MR. JENSEN: It helps a lot. It helps a lot.

6 The other people that we had testify were just
7 wonderful, too. So I really appreciate that.

8 MR. MUNRO: I have a question.

9 MR. JENSEN: No. Please, go ahead.

10 MR. MUNRO: Does the Pierce County Charter
11 control the activities of non candidate groups? For
12 example, if Mr. Lonergan is the only strong candidate for
13 open space preservation in Pierce County, what is to keep an
14 outfit like the Building Industry Association of Washington
15 coming in and, in fact, financing a smear campaign against
16 Mr. Lonergan getting out there, when they don't care which
17 of the other four might get the position?

18 MR. HAUGHTON: Just as today, there's no way
19 to prevent that, either in the RCV -- IRV approach or
20 top-two approach. There's no difference.

21 MR. MUNRO: I still want to see how this
22 thing plays out. I want to see a couple rounds of this
23 before we adopt it. I'm just worried about an unintended
24 down side.

25 MR. HAUGHTON: Well, I respectfully disagree.
0074

1 You know, I've seen the down side of our current system, and
2 I don't like it. So that's -- and I'm trying to be --
3 represent a constructive suggestion on how to improve our
4 existing system.

5 MR. MUNRO: I appreciate that.

6 MR. JENSEN: Thanks a lot, Kelly.

7 MR. HAUGHTON: Thank you.

8 MR. JENSEN: We are adjourned. Oh, I'm so
9 sorry.

10 MS. TRAUB: My name is on the list, but it's
11 on the second page.

12 MR. JENSEN: I am so sorry. I am so sorry.
13 I apologize.

14 MS. TRAUB: It's okay. I'm going to make
15 myself heard.

16 MR. JENSEN: Please. I apologize, Pat.

17 MS. TRAUB: It's okay.

18 MR. JENSEN: I saw two hands go up. So am I
19 missing a second one?

20 MS. FORISTER: No. I was going to add to
21 what he said as to something that has happened because of
22 the annexation, something very real that has happened
23 because of the way that that is breaking down.

24 MR. JENSEN: Okay. If you are interested,
25 I'll have you come up and speak after Pat speaks.

0075

1 MS. TRAUB: Hi. My name is Pat Traub, and
2 I'm from Enumclaw, and I have a working farm, which means
3 that I put in my 12 hours of work, and I go home and do all
4 my chores and then try to make it to these meetings. And I
5 was at the Buckley, I think it was -- wasn't it?

6 MS. HEINECKE: Buckley.

7 MS. TRAUB: No, no, no. It was Black
8 Diamond. And I'm really pleased that I see that this says
9 rural residents have been strained by this agreement. We
10 talked about being a minority. And -- where is it? --
11 specifically tasked with responsibility to oversee the
12 transition of urban, unincorporated areas.

13 My problem or my issue would be that as a rural
14 minority person, the person that is going -- the official
15 that you're putting in place is more than likely going to be
16 about 80 percent, which means it's going to be a city person
17 making -- I have a real problem.

18 If you look at where these meetings were held,
19 Renton and Issaquah, that's as close to the country as you
20 can get, but still you're in the city. Once we lose that
21 rural 80 percent, it's gone. And so it's really important,
22 like you said, as a minority, that I have a right to be
23 heard and not have 80 percent of the people make decisions
24 about what's so important to me as a farmer.

25 I have people that come out in the city, that love

0076

1 to drive around and look at what farming community is. And
2 so they're trying to help me, and I really don't need that

3 much help.

4 So the only thing that I would really love to see
5 is that person that you put in that position have an
6 understanding of what farm life is and maybe knows what a
7 pair of boots looks like and what, you know, goes on those
8 boots. We have a lot of people that come out from King
9 County, that have no clue. And so it's real important. And
10 what I'm looking at is that you're going to have this person
11 oversee the transition of urban unincorporated areas, but
12 what are they going to do for the rural person.

13 And the open space thing I think is great, because
14 we have farm preservation down there in Enumclaw, and we
15 have officials that would like to change that, and I don't
16 want it changed, because I know that the 80 percent that's
17 living in the city won't let that happen. So I'm okay with
18 the 80/20 on some things, and you've already got that space,
19 and I think it's great. In fact, I want more space
20 conserved down in my area, because I don't want to lose
21 that.

22 So I appreciate what you've done, and I know it's
23 a lot of work, and thanks for letting the farm kid come up
24 and talk for a little bit.

25 MR. JENSEN: Pat, thank you very much, and I

0077

1 apologize for missing you. And we did meet at Black
2 Diamond, at that meeting, so I appreciate you coming back.

3 MR. LOWRY: And Pat, thank you. That was
4 exactly the thinking of why the open space amendment,
5 because what happens when pressure comes up and, you know,
6 if there's not requiring an extra hurdle to protect that
7 property. So you stated that frankly better than we did in
8 ours.

9 And then secondly, on the senior official that --
10 for both the council and the executive, the council can, in
11 writing, their specifications for what the executive does
12 with that, could address that first issue you just raised
13 about where they come from.

14 MS. TRAUB: That's true.

15 MR. LOWRY: And you can testify maybe for the
16 council at that time about saying and these qualifications
17 are saying that this senior official ought to come from
18 rural King County.

19 MS. TRAUB: Well, I know it's really
20 important to the unincorporated areas that they have
21 representation and looking at getting, you know, where are
22 they going to be for as far as the city, and that's really
23 important. But from my little world, that rural person
24 having that representation.

25 MR. LOWRY: Right. That can really be worked

0078

1 the way this is, and pardon me for saying this. See, I grew
2 up in a little farm, you know, and actually, when I was in
3 high school, I used to scoop out [inaudible].

4 MS. TRAUB: Yeah. Yeah. I know exactly what
5 that --

6 MR. LOWRY: So that's why I went into my
7 chosen profession, I think.

8 MS. TRAUB: Well, we do have a farm that's in
9 the preservation program, that's right in the City of
10 Enumclaw, that they want to -- the officials there would
11 love not to have it. And when you break that up, what says
12 that they can't go and grab another piece and say, Well,
13 there's a reason for this and there's a reason for that. So

14 you've already done the open space. Leave it.

15 Thanks.

16 MR. JENSEN: I will tell you that last night
17 at the meeting in Preston we had a comment from someone in
18 District Three, which is the other large district, that also
19 said that maybe that senior official should come from a
20 rural area. So that's why we're having these meetings, and
21 that's something that probably will at least come up in our
22 discussions next week as something to add to your -- at
23 least add as a recommendation.

24 MS. TRAUB: Thank you.

25 MR. JENSEN: So thank you, Pat.

0079

1 And ma'am, did you want to speak?

2 MS. FORISTER: Yes.

3 MR. JENSEN: Please come on up.

4 MS. FORISTER: Something that you said
5 triggered me on the -- I'm Phyllis Forister, from Renton,
6 and I'm with the -- trying to get the King County Library
7 System to be more representative. [Inaudible] is in an
8 unincorporated urban area, and what it has done --
9 King County Rural Library System is what it still
10 is, is what it's supposed to be, but the "R" got dropped,
11 and now it's the King County Library System Urban. The
12 library advisory councils now are attached to the city. So
13 those people all -- I mean, they've been disconnected from
14 the whole thing. And we used to be community libraries, and
15 now we aren't. Now we are urban libraries. And the State
16 hasn't changed that.

17 So we have a serious problem that has been going
18 on right here underneath the surface. Things are being
19 done, laws are being broken by these people, because the
20 State hasn't changed it. The County hasn't changed -- well,
21 I guess the County did, with this Metro business.

22 Is that when all of this began to meld these
23 people into one thing and they became urban?

24 MS. HEINECKE: Well, Metro is the transit
25 system and the waste water treatment [inaudible].

0080

1 MS. FORISTER: Wouldn't have anything to
2 do with the city. But you see, something is very -- our
3 board is autonomous. That means they go in a circle and
4 report to nobody. So we have no recourse. There's nobody
5 we can go to.

6 So that's why we do appreciate your at least
7 listening. You call up the State, and they say, Call the
8 County. You call up the County, and they say, Call the
9 State. And the boards say, We don't have to talk to you.

10 So anyway, that is where this is a very serious
11 thing. We can't be the only public entity like the library
12 system don't even like the community suburban. And she pays
13 property taxes.

14 So it's not like she hasn't paid her dues. It's
15 not like she hasn't paid for the service and all these other
16 people pay for the services, and yet she is not represented
17 anymore. So we have taxation without representation.
18 Everybody has that.

19 MR. JENSEN: Thank you very much. And if I
20 didn't mention it when I said that before, I was speaking
21 just to the amount of work that the individual board members
22 have. But it's in the report also that we want the -- we
23 are recommending that the library board be diverse. And
24 usually we're talking about ethnic and gender, but we're

0081

1 MS. FORISTER: But if you're autonomous, that
2 doesn't help. We'll just have nine people not be able to
3 deal with as opposed to having five. So as long as you have
4 autonomous, which is not democratic, well, then, that's the
5 problem.

6 The autonomous, that's the Fascist part of it.
7 You know, I don't know why that's in any democracy, anyway,
8 or any public board that deals with taxes, why they don't
9 have to listen to anybody for due diligence and for -- due
10 diligence and -- what is it we've been going for?

11 FEMALE SPEAKER: Transparency?

12 MS. FORISTER: Transparency of spending.
13 There is absolutely no recourse for that.

14 The auditor, Mr. Sontag, is taking them on right
15 now, but he can't go into all of it, but we're hoping that
16 some of this will sit down in that -- just like it did for
17 the Port and like it is for the hospital, as well, because
18 it's the same kind of thing. Too much is happening there
19 that shouldn't be.

20 MR. JENSEN: Thank you very much. Seeing
21 nobody else interested in speaking, I will adjourn the
22 meeting. Thank you very much for coming tonight.

23 (Proceedings were concluded
24 at 8:20 p.m.)
25

2008

1 KING COUNTY -- PUBLIC OUTREACH MEETING April 15,
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5

6 C E R T I F I C A T E
7

8 STATE OF WASHINGTON)
9) ss.
10 COUNTY OF KING)
11

12 I, the undersigned officer of the court, under my
13 commission as a notary public in and for the State of
14 Washington, hereby certify that the foregoing proceedings
15 were taken stenographically before me and thereafter
16 transcribed under my direction.

17 IN WITNESS WHEREOF, I have hereunto set my hand
18 and seal this 23rd day of April 2008.

18 PATRICIA A. BLEVINS
19 NOTARY PUBLIC in and for the
20 State of Washington, residing
21 at Federal Way.
22 My commission expires 10/15/08.

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